

Official Community Plan & Zoning Amendments

What is an Official Community Plan and Zoning Bylaw?

An Official Community Plan (OCP) establishes the community vision for the plan area, and contains statements of goals, objectives, and policies to implement that vision. These policies are used to guide decisions on planning and land use management.

The Zoning Bylaw is the most important regulation used to manage the use and development of land and to implement the goals and objectives of the Official Community Plan. This bylaw applies to most privately owned land within the RDBN, and some Crown Lands. The zoning bylaw divides areas and properties into zones. Each zone contains regulations regarding the permitted uses on the land; the density of those uses; and the number, size, and siting of buildings and structures on the land.

Rezoning is the process to amend the zone applied to a specific property. A rezoning application is made to the RDBN by a property owner when they want to use the property or develop to a density which is not permitted in the zone for the property. The Regional District Board is the approving authority for all applications.

When a rezoning application is made the RDBN looks to the policies in the OCP to help evaluate the application and determine if the proposed change should be supported. The application is also reviewed for its

potential impact on the character of the immediate area.

An OCP amendment application will be required if a proposed rezoning is not adequately consistent with an area's OCP.

An application to amend an Official Community Plan or the Zoning Bylaw must follow a process that is outlined in the *Local Government Act* and the Regional District's Development Procedures Bylaw. A bylaw amendment must receive three readings and adoption from the Regional District Board. A public hearing is required between first and third readings to allow the public an opportunity to provide their opinions on the application to the Board.

The time required to process an OCP amendment or rezoning bylaw may vary considerably depending on the scope of the proposed development, the agencies referred as part of the review process, and the number of issues that need to be addressed. Generally, the process can be expected to take a minimum of four months. If an OCP amendment or rezoning bylaw is not adopted within a period of 24 months after the date of first reading, the bylaw will expire. A new application will be required to proceed with the amendment that was the subject of the lapsed bylaw.

RDBN Planning Department

37 3rd Ave, PO Box 820
Burns Lake, BC V0J 1E0
planning@rdbn.bc.ca
www.rdbn.bc.ca

Call us at: 250-692-3195
Toll free 1-800-320-3339
Fax 250-692-3305

The Application Process

1. Speak with Planning Staff

Prior to submitting an application, applicants are encouraged to speak with Planning Department staff about the proposed development. Staff can provide information on the application requirements and the review process. This will help ensure that a complete application is submitted and prevent unnecessary delays.

2. Submit Application

To start the rezoning/OCP amendment process, a complete application with the required supporting documents and fees must be submitted to the RDBN.

3. Referral Process

Once an application has been received, it may be referred to First Nations, municipalities, and the local Advisory Planning Commission for their comments. Agencies, such as the Ministry of Transportation, Ministry of Environment, Agricultural Land Commission, and Northern Health Authority may also be sent referrals. Referral responses are to be provided within 21 days.

4. Staff Report

Staff review all of the information related to an application and prepare a report. The staff report includes a summary of the proposed development, an analysis of the potential impacts, and a recommendation on the proposed bylaw amendment. The staff report also includes a draft bylaw and a list of actions to be undertaken as part of the process.

5. 1st and 2nd Reading

The staff report and amendment bylaw/s are sent to the RDBN Board for consideration. If the Board gives the bylaw first and second reading the application will proceed to the next step. If the application is denied, the file is closed, a portion of

the application fee is refunded, and the application does not proceed to a public hearing.

6. Post a Sign

If a bylaw amendment receives first and second reading, the applicant must post a sign on the property at least 10 days before the public hearing. The purpose of the notification sign is to advise nearby residents about the application considered by the RDBN Board. The sign has to conform to certain standards regarding size, location, and materials. The sign can be rented from the Planning Department or made to specifications by the applicant.

7. Public Hearing

Before the bylaw can proceed to third reading a public hearing is held. In addition to the sign on the property, two notices are placed in consecutive issues of a newspaper and a notice is mailed or delivered to nearby property owners/tenants to advertise the public hearing.

The purpose of the public hearing is to allow those who feel their interests are affected by the bylaw to comment on the application. A report of the public hearing is prepared and submitted to the Regional District Board for consideration.

8. 3rd Reading and Adoption

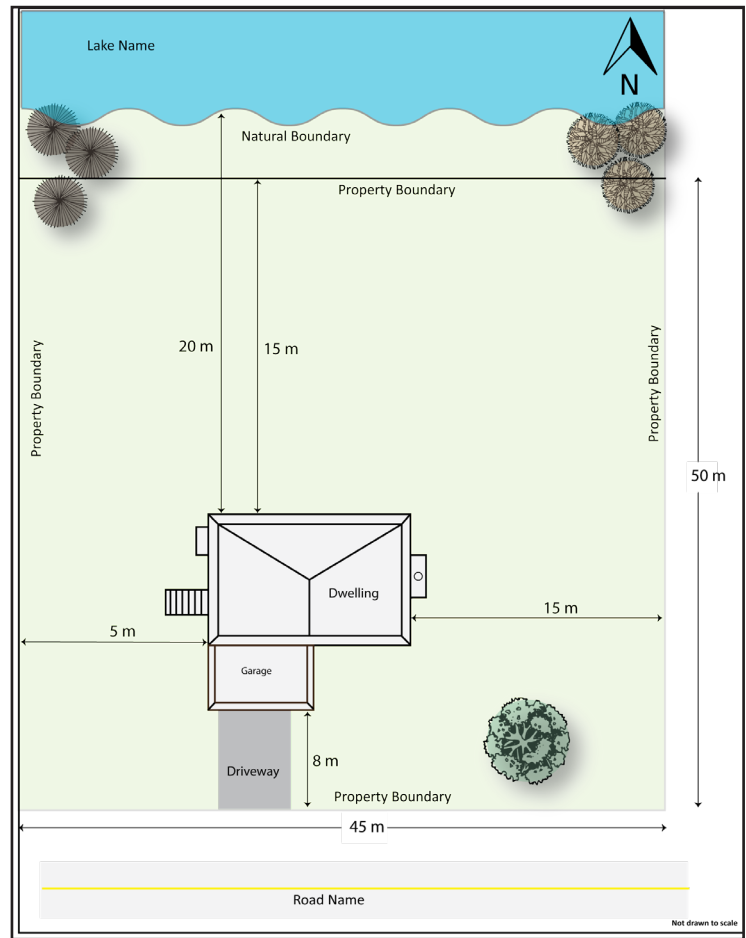
A staff report, report of the public hearing, and any written submissions are presented to the RDBN Board and the Board may give the amendment bylaw third reading or deny the application. Substantial changes to the bylaw may require an amended second reading and another public hearing. If the bylaw receives third reading, the applicant will be notified of any actions required to be taken prior to adoption of the bylaw.

Once conditions of approval have been satisfied, the RDBN Board will consider adopting the bylaw.



- ✓ Copy of the Certificate of Title, and relevant charges, dated within 30 days of the date of the application
- ✓ Letter of Authorization signed by all registered property owners if the agent is not the owner
- ✓ Application fee
- ✓ Completed and signed application form, Contaminated Sites Regulation Questionnaire
- ✓ Site plan drawn to a scale showing the following: (as appropriate)

- Boundaries and dimensions of parcel
- Size and location of all existing and proposed buildings, structures, and uses on the site including measurements from all proposed and existing structures to the nearest parcel line
- Location and name of road(s) adjacent to the property
- Existing and proposed parking and driveways
- Topographic features, water bodies and waterways including measurements from all proposed and existing structures to the natural boundary, stream centre line or top of bank, whichever is applicable
- Proposed subdivision layout, showing the number and approximate location of lots and/or consolidation of the parcel(s)
- North arrow and scale



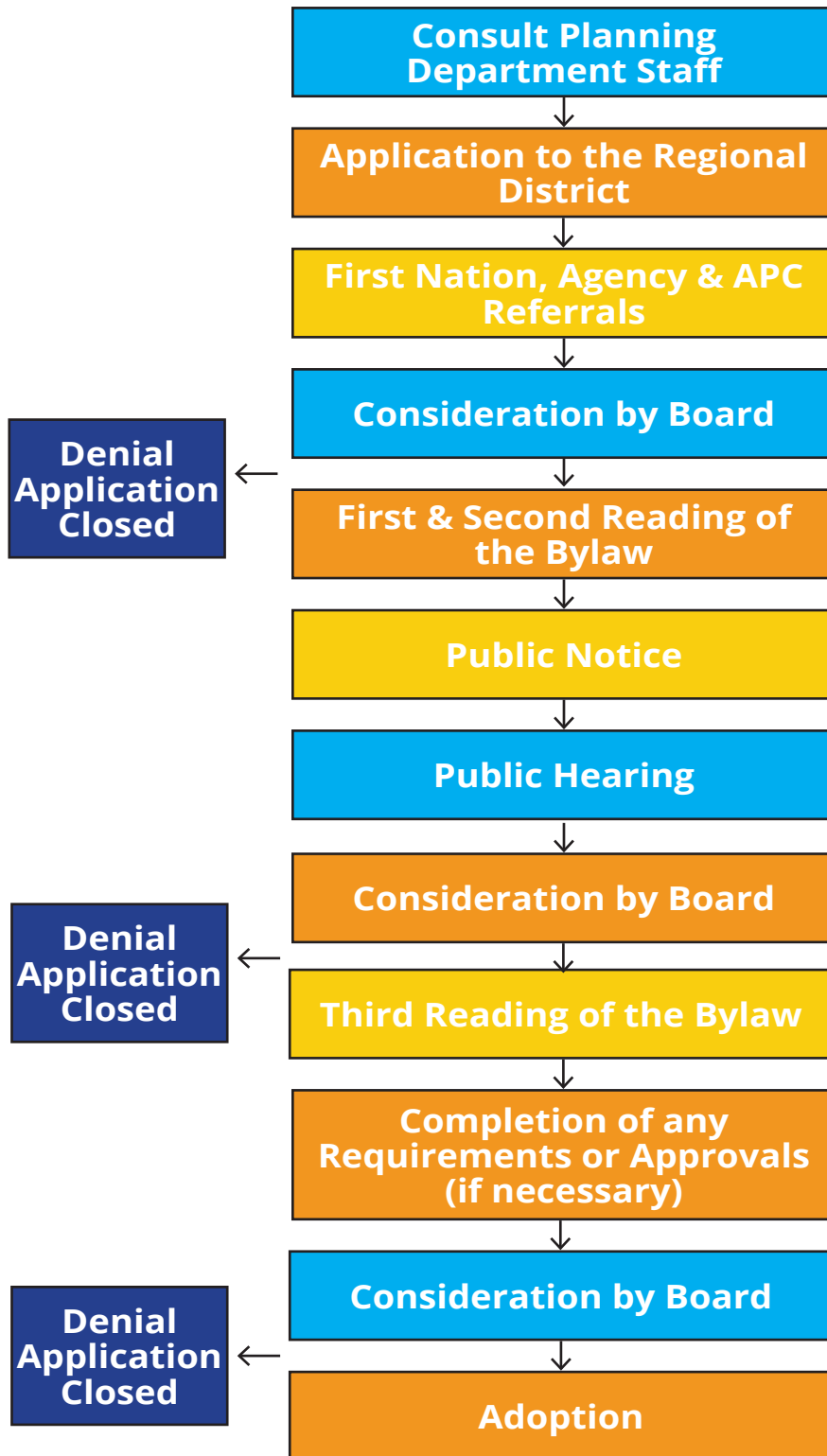
Fee Schedule

Schedule A to Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020

Official Community Plan Amendment	\$1,000
Zoning Bylaw or Land Use Contract Amendment	\$1,000
Combined OCP/Zoning Bylaw or Land Use Contract Amendment	\$1,500

*For applications to legalize an existing bylaw contravention the fee is increased by an additional 50% (see Section 5.8 in the Regional District of Bulkley-Nechako Development Procedures Bylaw No.1898, 2020)

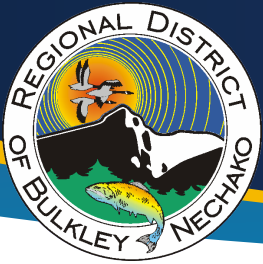
The Approval Process



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A Guide to the Public Hearing Process

What is a public hearing?

A public hearing is an official meeting where the public and applicant are given an opportunity to provide their input to the Regional District Board on a proposed new bylaw or bylaw change. A public hearing must be held prior to adopting or amending an official community plan bylaw or a zoning bylaw.

Anyone who thinks that they may be affected by the proposed bylaw amendment has the opportunity to speak, or provide written comments at or prior to the public hearing. Following the close of the public hearing there are restrictions on the Regional District Board's ability to receive further input on the bylaws; therefore, it is important that input is provided prior to the close of the public hearing.

Who can attend?

As the name implies, public hearings are open to the public and anyone can attend. A written statement can be submitted before or at the public hearing for those who cannot attend or do not wish to speak. The submission will become part of the public record and attached to the report of the public hearing.

What are the notification procedures?

There are several ways a public hearing is advertised in the Regional District of Bulkley-Nechako:

Newspaper advertising in 2 consecutive issues of a local newspaper, the last date no more than ten or less than three days before the hearing.

Mail-out of individual notices to owners and tenants within 200 metres of the subject property.

Signage - When a bylaw amendment applies to a specific property the applicant must post a sign on the property. It must be visible from a public road and posted at least ten days before a public hearing to advise neighbouring and nearby property owners about the official community plan and/or zoning bylaw amendment applications under consideration by the Regional District Board.

The newspaper and mailed notices will state the following:

- Time, date and place of the hearing,
- Purpose of the bylaw,
- Place and times copies of the bylaw and related information, may be inspected.

Copies of the bylaw and associated background documents are made available at the Regional District office in Burns Lake during regular office hours, at the local public library in the closest community, and at the public hearing.

The public hearing notice is also posted under the public meeting section of the RDBN web site.

What is the procedure at a public hearing?

The public hearing is usually scheduled for a weekday evening in a venue located in the community closest to the application area.

Typically the Electoral Area Director is delegated by the Regional District Board to chair the public hearing and report back to the Regional District Board regarding the input provided. Planning Department staff are also present to record the comments received and answer technical questions.

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The Chair will open the public hearing with an explanation of the proceedings and a short overview of the proposed bylaw. The persons attending the public hearing are then invited to speak or present a written submission. Everyone present will be given an opportunity to speak. Speakers are to state their name and address prior to providing the Chair of the public hearing with their comments.

The applicant has the same standing as any member of the public and may be allowed to provide initial comments at the public hearing.

If there is insufficient time for all the speakers to be heard the hearing can be adjourned by the Chair to another time and location specified at the public hearing.

When the Chair determines that everyone has had a reasonable opportunity to be heard, the Chair will close the public hearing.

Can the bylaw be debated at the public hearing?

A public hearing is not an opportunity to debate the merits of the bylaw. The purpose of the public hearing is to give everyone an opportunity to provide their input to the Regional District Board in a respectful environment.

What happens after a public hearing?

When a public hearing is closed, the ability of the Board to receive new information is limited. The purpose of this rule is to ensure that all persons are aware of, and

have an opportunity to speak to, the information that the Board has received regarding the proposed bylaw.

A public hearing report summarizing the comments made at the public hearing will be presented to the Regional District Board prior to the Board's consideration of the bylaw.

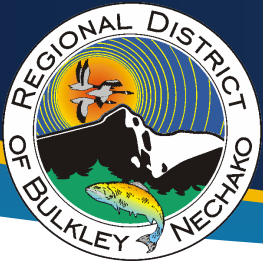
A question & answer session may be held prior to the public hearing if a bylaw is particularly controversial or complicated.



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Sign Information

The posting of a sign on a subject property is required for Rezoning and OCP Amendment, Temporary Use Permit, and certain Development Variance Permit applications.

Signs can be obtained from the Regional District of Bulkley-Nechako office (37-3rd Ave, Burns Lake) or one of the RDBN Transfer Stations for a fee or can be provided by the property owner.

The applicant shall post the sign at least 10 days before the public hearing or Board Meeting and maintain the sign on the parcel that is the subject of the application.

Fee Schedule

A \$100 fee is charged if the applicant wishes to use a sign provided by the RDBN. Upon return of the intact sign, a \$75 refund cheque will be issued within three weeks.

Size

The sign shall have a minimum dimension of of 1.2 X 0.9 meters.

Construction

The sign shall be constructed of plywood, corrugated plastic, or other such durable material.

Design

The sign shall have a white background and dark blue or black block capital lettering that is not less than 5.5 cm in height. The RDBN logo is not required on owner provided signs.

Content

The sign shall contain the following wording:

"This site is the subject of an application to change land use or density. For further information please contact the Regional District of Bulkley-Nechako at 1-800-320-3339"

Location

The sign shall be located within 3 meters of a property line abutting a public road in a location facing and clearly visible from the road.

If such a placement of the sign is not feasible, the sign shall be located on the nearest abutting road or in a location approved by the Director of Planning.

The sign shall be placed so as not to interfere with pedestrian or vehicle traffic flow, or obstruct visibility from a highway, lane, walkway, or driveway.

Installation

The sign shall be installed in a safe, sturdy manner and be capable of withstanding typical wind and other weather conditions.

Prior to the public hearing, the applicant shall provide the Director with a letter signed by the applicant stating that the sign has been posted in accordance to the bylaw and a photograph of the posted sign.

Removal

The sign shall be removed within 3 days of the conclusion of the related public hearing. Any signage rented from the RDBN must be returned within 14 days after the public hearing, to ensure refund of deposit.

Additional Information

Where a sign is removed, destroyed, or altered due to vandalism or the actions of unknown persons, the validity of any bylaw that is subject to the relevant application and public hearing shall not be impacted.

Please feel free to contact Regional District Planning staff if you have questions or require further information on required signage.

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Sign Examples



**THIS SITE IS THE SUBJECT
OF AN APPLICATION TO CHANGE
LAND USE OR DENSITY.**

**FOR FURTHER INFORMATION
PLEASE CONTACT THE
REGIONAL DISTRICT
OF BULKLEY-NECHAKO
AT 1-800-320-3339**



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Application Form

Official Community Plan (OCP) / Zoning Bylaw Amendment

Applicants are advised to consult with Planning Staff before submitting an application.

- 1. APPLICANT** If you are an agent applying on behalf of the property owner, fill out the applicant and property owner sections. If you are the property owner and the applicant only fill out the applicant section.

Applicant:

Name _____

Signature _____

Mailing Address: _____

Phone: _____
(Home) _____
(Cell) _____

E-mail: _____

Property Owner(s):

Name(s) _____

Signature(s) _____

Mailing Address: _____

Phone: _____
(Home) _____
(Cell) _____

E-mail: _____

2. AGENT AUTHORIZATION

If the applicant is not the sole registered owner of the subject property, ALL owners of the subject property must sign the application below, or provide a signed letter, authorizing the applicant to act as agent on their behalf in regard to the application.

As owner(s) of the land described in this application, I/we authorize (please print) _____
to act as Applicant, and as our agent in regard to this application.

_____ Owner Name (print)	_____ Signature	_____ Date
_____ Owner Name (print)	_____ Signature	_____ Date
_____ Owner Name (print)	_____ Signature	_____ Date

3. PROPERTY INFORMATION

Legal Description(s) of the land which is the subject of this Application (subject property):

Civic Address (House No., Street Name):

Size of
Property: _____ (Hectares/Acres)

Existing Land Use:

(Describe the uses that currently occur on the land under application. List each building and the use of that building.)

4. REQUESTED AMENDMENT

Proposed
Amendment to
Zoning Bylaw:

Proposed
Amendment to
OCP:

Reason for Application:

(Describe the reason for the application. If the application is to allow a proposed new land use or development, describe that use and / or development. Also discuss why you consider the proposed use and / or development to be appropriate for the land under application. Attach separate pages to the application, or a letter as necessary.

5. APPLICATION FEES

An application fee as set out in Schedule A to the Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020 must accompany this application. An application is not considered complete and cannot be processed until the required application fee and information has been received by the Regional District.

Fees can be paid by cheque, interact debit card, or cash.

- Cheques should be made to the Regional District of Bulkley-Nechako and delivered to the attention of the Planning Department by mail to Box 820, Burns Lake, BC, V0J 1E0; or at the RDBN office, 37-3rd Ave, Burns Lake, BC.
- Interact debit card or cash payments can be made at the RDBN office, 37 3rd Avenue, Burns Lake, BC.

The following fees are required: Check the box that applies to your application

- | | |
|--|---------|
| <input type="checkbox"/> Official Community Plan (OCP) Amendment | \$1,000 |
| <input type="checkbox"/> Zoning Bylaw Amendment | \$1,000 |
| <input type="checkbox"/> Combined OCP and Zoning Bylaw Amendment | \$1,500 |

*Please note that the fee for an application to legalize an existing bylaw contravention is increased by an additional 50%.

6. SIGN NOTIFICATION REQUIREMENTS

Certain applications require that a sign be posted on the property to advise the community of the application. The sign can be provided by the property owner, or it can be rented from the Regional District of Bulkley-Nechako office (37-3rd Ave, Burns Lake) for a fee of \$25 plus a security deposit of \$75. The \$100 fee and deposit can be included with your application fee.

Do you wish to pay the signage fee now?

Yes

No

7. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information requested on this form is collected under the *Freedom of Information and Protection of Privacy Act* section 26(c) and will be used for the purpose of processing your application. Any information relating to the use and development of the land provided to the RDBN for consideration and in support of the application may be made available for review by any member of the public. If you have any questions about the collection and use of this information, please contact the RDBN Information and Privacy Coordinator at 1-800-320-3339.

8. SITE DISCLOSURE STATEMENT

A Site Disclosure Statement is required when applying to rezone a property. Please fill out Schedule 1 attached to this application.

9. DECLARATION

I, the undersigned, hereby declare that the attached information, provided with respect to this application is a true statement of facts, and authorize RDBN staff to conduct site inspections of the subject property for the purpose of confirming information submitted as part of this application, and for the purpose of processing this application.

Owner/Agent Signature

Date

***To ensure your application is complete and that all items have been included with your application, see page 3 of the Official Community Plan & Zoning Amendment brochure for the application checklist.**



SCHEDULE 1 SITE DISCLOSURE STATEMENT

I. CONTACT INFORMATION

A: SITE OWNER(s) or OPERATOR(s) (click on button to add contacts as required)			ADD CONTACT	REMOVE THIS CONTACT
LAST NAME		FIRST NAME(s)		
COMPANY (if applicable)				
ADDRESS - STREET			CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE	
PHONE		E-MAIL		

B: PERSON COMPLETING SITE DISCLOSURE STATEMENT (Leave blank if same as above)	
<input type="checkbox"/> Agent authorized to complete form on behalf of the owner or operator	
LAST NAME	FIRST NAME(s)
COMPANY (if applicable)	

C: PERSON TO CONTACT REGARDING THE SITE DISCLOSURE STATEMENT			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
ADDRESS - STREET		CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE
PHONE		E-MAIL	

II. SITE INFORMATION

Coordinates (using the North American Datum 1983 convention) for the centre of the site:

Latitude			Longitude		
DEGREES	MINUTES	SECONDS	DEGREES	MINUTES	SECONDS

Attach a map of appropriate scale showing the location and boundaries of the site.

For Legally Titled, Registered Property

SITE ADDRESS (or nearest street name/intersection if no address assigned)	
CITY	POSTAL CODE

PID	Land Description	Add	Delete
		+	-
		+	-

For Untitled Crown Land

PIN numbers and associated Land Description (if applicable)

PIN	Land Description	Add	Delete
		+	-
		+	-

And if available

Crown Land File Numbers	Add	Delete
	+	-
	+	-

III. INDUSTRIAL OR COMMERCIAL PURPOSES OR ACTIVITIES

Has the site been used for any industrial or commercial purposes or activities described in [SCHEDULE 2](#) of the Contaminated Sites Regulation?

Yes No

If you answered YES to the question above, please indicate below, in the format of the example provided, which of the industrial or commercial purposes or activities have occurred or are occurring on this site.

EXAMPLE

Schedule 2 Reference	Description
E1	appliance, equipment or engine maintenance, repair, reconditioning, cleaning or salvage
F10	solvent manufacturing, bulk storage, shipping or handling

Schedule 2 Reference	Description	Add	Delete
		+	-
		+	-

IV. ADDITIONAL INFORMATION

1. Provide a brief summary of the planned activity and proposed land use at the site.

2. Indicate the information used to complete this site disclosure statement including a list of record searches completed.

3. List any past or present government orders, permits, approvals, certificates or notifications pertaining to the environmental condition of the site. (*Attach extra pages, if necessary*):

V. DECLARATIONS

1. Exemptions (See the Contaminated Sites Regulation, Division 3 of Part 2):

Does the application qualify for an exemption from submitting a site disclosure statement?

Yes No

If yes, indicate which exemption applies _____

2. Where a municipal approval is not required, please indicate the reason for submission directly to the registrar:

Under Order Foreclosure CCAA Proceedings BIA Proceedings

Decommissioning Ceasing Operations

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE

DATE SIGNED (YYYY-MM-DD)

APPROVING AUTHORITY CONTACT INFORMATION

NAME	AGENCY
ADDRESS	
PHONE	E-MAIL

Reason for submission (Please check one or more of the following):

Building Permit Subdivision Zoning Development Permit

DATE RECEIVED (YYYY-MM-DD)

DATE SUBMITTED TO REGISTRAR (YYYY-MM-DD)